HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.16716 of 2007

Dated:06.08.2007

Between:

Karna Nasaraiah.

…Petitioner.

and

Andhra Pradesh Southern Power Distribution Company Limited and others.

…Respondents.

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.16716 of 2007

ORDER:

The petitioner claims to have purchased an extent of Acs.2.68 cents of land, in survey No.2/2 (old) and 199/3 (new) of Obbapuram Revenue Village, Donakonda Mandal, Prakasam District, under a registered sale deed, dated 19.09.1949, from Smt.Hafija, W/o Khasim Baig. He has also excavated a bore-well in the land and installed an electric pump, which is being supplied electricity, through Service Connection No.1325.

The petitioner claims that when there was interference by respondents 3 to 5, into his possession over the land, he filed O.S.No.90 of 2007 in the Court of Junior Civil Judge, Darsi, for the relief of permanent injunction, and that an order of *status quo* was passed, by the learned Junior Civil Judge, in I.A.No.218 of 2007. His grievance is that, on the instructions issued by respondents 3 to 5, the 2nd respondent has disconnected the power supply, without issuing a notice.

Heard learned Counsel for the petitioner, learned Standing

Counsel for respondents 1 and 2 and learned Government Pleader for Revenue.

It is not in dispute that the petitioner is extended power supply, through S.C.No.1325. In case, there is any violation on the part of the petitioner, the 2nd respondent is under obligation to follow the procedure prescribed under Clause 17.2 of the General Terms and Conditions of Supply. A notice, pointing out the reasons, on account of which the power supply is proposed to be disconnected, ought to have been served on the petitioner. No such exercise was undertaken.

On this short ground, the Writ Petition is allowed and respondents 1 and 2 are directed to restore the power to the petitioner, forthwith. In case, respondent 1 and 2 intended to disconnect the power supply, it shall be obligatory on their part to issue notice to the petitioner, in accordance with law. There shall be no order as to costs.

Dt.06.08.2007 **L.NARASIMHA REDDY, J**

Note:Furnish C.C. in two days.
(B/o)
GJ